

FASULO BRAVERMAN & DI MAGGIO, LLP

ATTORNEYS AT LAW

Hon. Cathy Seibel
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Louis V. Fasulo, Esq.– NY & NJ
Samuel M. Braverman, Esq.– NY & NJ
Charles Di Maggio, Esq.– NY

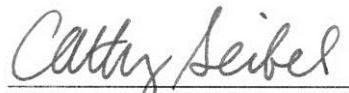
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Mr. Hernandez may travel to New Jersey for visits with Mr. Braverman at his office in Teaneck.

Mr. Hernandez may attend the 9/14/21 conference by video.

Mr. Braverman may utilize an associate at \$110 per hour (presuming the associate is a full-time employee of Mr. Braverman's firm) for up to 40 hours. The remaining requests must be made via the eVoucher system. September 9, 2021

SO ORDERED.


CATHY SEIBEL, U.S.D.J.

9/9/21

Re: *United States v. Alexander Hernandez*
Dkt.: 21-CR-519 (CS)

Dear Judge Seibel:

I am assigned counsel for Mr. Alexander Hernandez in the above captioned matter, which is scheduled for a first appearance before this Court on September 14, 2021 at 12:15pm. Mr. Hernandez was presented to a magistrate judge upon his arrest on July 27, 2021 in the Middle District of Florida pursuant to F.R.Cr.P. 5 stemming from the above indictment issued out of the Southern District of New York. In the Florida court, he was released on a bond with the consent of the Government. That bond allowed him to travel within the state of Florida and to New York for court appearances.

Upon his presentment by videoconference in this District before the Hon. Andrew E. Krause, USMJ, on September 3, 2021, the terms of Mr. Hernandez' bond were continued with the consent of the Government as Mr. Hernandez is in compliance with the terms of his supervision. At that appearance, I requested that the bond be modified to allow Mr. Hernandez to meet me in my New Jersey office as well as my New York office as during the pandemic I go to the New Jersey office more frequently. The Government had no objection to this modification and Judge Krause granted that modification pending my making the same application to this Court, which I now do by this letter. (My New Jersey office address is in the footer below.)

At the presentment before Judge Krause, Mr. Hernandez was initially represented by the Federal Defender of the Middle District of Florida, had a copy of the felony complaint and the

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indictment in this matter, waived the public reading of the indictment and entered a Not Guilty plea, and the issues of virtual appearances, right to counsel, a discussion of the discovery in this matter, and the purpose of the next court appearance were all discussed on the record. After the appearance, I then continued my conversation with Mr. Hernandez by telephone and discussed the purpose of this upcoming court appearance before this Court, his right to appear in person or by video or telephone if approved by this Court, and his ongoing right to counsel for all court appearances. Mr. Hernandez wishes to waive his right to appear before this Court for the first appearance and appear either by telephone or videoconference instead of flying to New York during the pandemic for what will be a brief appearance in court. Allowing Mr. Hernandez to appear remotely and virtually will safeguard his health as well as those of us in the courthouse by not bringing someone from a COVID hotspot to New York, save the taxpayers the funds to fly this CJA client up to New York and send him back to Florida, and will not negatively impact either the client or the Court as this appearance is mostly administrative in nature. I have spoken with the Government and it has no objection to this request. Therefore I request that this Court allow Mr. Hernandez to appear virtually at the next court appearance.

Finally, as I am CJA counsel on this matter, I request that I be authorized under the Criminal Justice Act to use my associate Michael Giordano for research and discovery review, my paralegal Icelsa Gonzalez for interpretation and translations for the client, and Joseph Lively for investigation, and to bill the CJA panel for these services as the prevailing rates established by the SDNY CJA plan.

I thank the Court for its consideration of my requests.

Respectfully submitted,

Sam Braverman

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